

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JEFFREY L. MILLS, D.V.M.	:	<u>ORDER 0000670</u>
RESPONDENT.	:	

[Division of Enforcement Case #08 VET 8]

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Jeffrey L. Mills, D.V.M.
14285 72nd Avenue
Merrill, WI 54452

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Veterinary Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Veterinary Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Jeffrey L. Mills, D.V.M. ("Respondent") was born on May 11, 1958, and is licensed to practice veterinary medicine in the state of Wisconsin pursuant to license number 4537-50. This license was first granted on June 19, 1996.

2. Respondent's most recent address on file with the Wisconsin Department of Regulation and Licensing is 14285 72nd Ave., Merrill, WI 54452.

3. At all times relevant to this proceeding, Respondent was practicing veterinary medicine at Countryside Animal Hospital in Merrill, Wisconsin.

4. Crystal Boutiette ("CB") has worked as an unlicensed veterinary assistant at Countryside Animal Hospital ("Countryside") for twelve years. She obtained an associate's degree from the medical secretarial nursing program from the North Dakota State School of Science in Wahpeton, North Dakota in 1983. She routinely assists Respondent with a variety of tasks including animal restraint, preparing and submitting diagnostic laboratory samples, preparing and running in-house diagnostic samples, assisting with exposure and development of radiographs, assisting in surgery and monitoring of anesthesia, primary patient care as well as office duties and dealing directly with clients.

5. On Friday, September 21, 2007, Client DW brought her eleven year old female dog "Little Foot" in for a routine wellness exam. Respondent determined that Little Foot was suffering from a closed pyometra and needed emergency surgery. Respondent performed the ovariohysterectomy that same day.

6. On Monday, September 24, 2007, Client DW contacted Respondent's unlicensed assistant at her home with concerns about Little Foot bleeding at the incision site. Respondent's unlicensed assistant instructed Client DW to use a wet cloth to gently clean the incision area, limit Little Foot's activity, and call if there were any additional complications.

7. On Thursday, September 27, 2007, Client DW called Respondent's unlicensed assistant and reported that Little Foot had removed four to five staples from the incision, and that there was a mass or cord hanging out of the incision area. CB informed Client DW that Respondent was out of town and that Client DW should take Little Foot to the Emergency Animal Hospital.

8. Client DW refused this recommendation, insisting that she be seen immediately at Countryside.

9. CB then met alone with Client DW at the clinic after office hours to examine Little Foot. CB determined that there was nothing protruding from the incision area, dried the area off, splashed the area with lidocaine, a local anesthetic, and re-stapled the incision. CB applied a pressure wrap, and provided an E-collar for Little Foot to prevent her from removing the staples.

10. Respondent was out of town and not present at the clinic to supervise CB when CB treated Little Foot. Respondent did not authorize CB to place surgical staples.

11. On Thursday, October 4, 2007, Client DW noticed that the incision had opened again and she contacted CB. CB instructed Client DW to take Little Foot to the Emergency

Animal Hospital, but Client DW refused because she did not want to pay someone else to redo the surgery that she believed Respondent had incorrectly done. Client DW insisted that CB contact Respondent and have him redo the surgery. Respondent came in after office hours and re-closed the incision.

12. Respondent disputes the allegations contained in the formal complaint and believes that he has legitimate responses to those allegations, but in the interest of resolving this matter, agrees to entry of this Order.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. §453.07(2), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent engaged in unprofessional conduct within the meaning of Wis. Admin. Code §VE 7.02 and §VE 7.06(4) by directing an unlicensed person to perform a veterinary examination and advise his client on the need for further veterinary care, and by failing to prevent other unlicensed practice of veterinary medicine, as described in paragraphs 6-11.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Jeffrey L. Mills, D.V.M. is hereby REPRIMANDED.

2. Respondent shall, within ninety (90) days from the date of this Order, pay COSTS of this proceeding in the amount of NINE HUNDRED DOLLARS (\$900.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as set forth above,

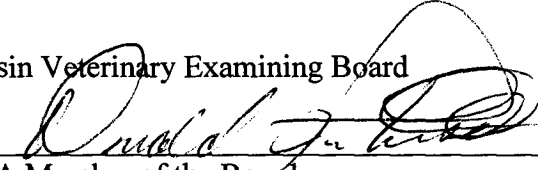
the Respondent's license (# 4537-50) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the payment of the costs.

4. The Respondent shall not aide, direct, permit or encourage any person in the unlicensed practice of veterinary medicine.

5. This Order is effective on the date of its signing.

Wisconsin Veterinary Examining Board

By:


A Member of the Board


Date